

SENATE ETHICS MANUAL

Select Committee on Ethics
United States Senate



108th Congress
1st Session

2003 Edition
(Supersedes All Prior Editions)

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PREFACE

The Senate Select Committee on Ethics is authorized to publish regulations necessary to implement the Senate Code of Official Conduct, and to issue interpretative rulings and advisory opinions regarding the application of any law, rule, or regulation within the Committee's jurisdiction.

In early 1993, the Ethics Committee commissioned its staff to begin preparation of an ethics manual. Later that year, the Ethics Study Commission, whose membership included all Members of the Ethics Committee and other current and former Members, also recommended that the Committee augment its efforts to educate Senate Members, officers, and employees about ethics issues. This manual is part of that effort.

The manual's purpose is to explain the application of the Senate's Code of Official Conduct and related ethics laws, and to describe the operation and role of the Committee. The intent is to provide a "single source" of information about ethics-related provisions of the U. S. Constitution, Federal statutes, and Senate Rules which regulate the operation of a Senate office and the conduct of Senate Members, officers, and employees. As such, the manual provides an efficient and effective means of meeting the Committee's educational obligation to the Senate.

The Committee has traditionally relied upon the periodic issuance of Interpretative Rulings to advise Senate Members, officers, and employees on the application of the Code of Conduct. Each Interpretative Ruling previously issued by the Committee and referred to in this manual is reprinted in Appendix A for easy reference. Because the Interpretative Rulings span the period from April, 1977 to June, 1995, a time during which significant changes in Senate Rules have occurred, each Interpretative Ruling in Appendix A has been annotated to explain how the Ruling applies under current Rules. Many of the Committee's early Rulings are no longer valid due to Rule changes. Thus, earlier printings of the Committee's Interpretative Rulings (e.g. S. Prt. 103-35) should NOT be relied upon for advice. Instead, the annotated Rulings reprinted in Appendix A, the text of this manual, and such future Rulings as may be issued by the Committee should be referred to for guidance.

As needed, the Committee has also historically issued, and will continue to issue, advice in the form of "Dear Colleague" advisory letters covering a particular subject. Additionally, over the past 18 years, the Committee has issued thousands of private letter rulings to Members, officers, and employees, providing advice on the application of a law or rule to a specific set of facts. Members, officers, and employees may continue to request such written advice.

The Committee staff may be reached at 202-224-2981. Committee information is also available through its Website, <http://ethics.senate.gov>.

This manual attempts to consolidate all forms of the Committee's previously issued advice and rulings, and to present it in an easy to use and understandable format.

The reader should also understand, however, that the Federal statutes and Senate Rules to which most of this manual's discussion is devoted, are but a part of a wider body of ethical standards related to service in the Senate. Unwritten norms of behavior, reflected in the established customs of the Senate, are an important source of behavioral standards. The manual, in Appendix E, includes a discussion on the Senate's unwritten standards, and also presents general principles of public service.

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Regardless of compensation, a public official may not act as an agent or attorney for a foreign principal required to register under the Foreign Agents Registration Act of 1938, as amended, that is, generally, those individuals engaged in lobbying, political, or propaganda activities on behalf of foreign governments or political parties.²¹⁵ [REDACTED]

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²¹⁵ 18 U.S.C. § 219; *see* Foreign Agents Registration Act, 22 U.S.C. §§ 611–621.

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